

**Livable Delaware Advisory Council  
Paradee Center  
December 9, 2002**

**Minutes**

**Members Present:** Lt. Governor John Carney, Chair  
Peg Baunchalk  
Joe Corrado  
Nathan Hayward  
John Hughes  
Randy Marvel  
Mike McDowell  
Paul Morrill  
Joe Myer  
Rep. Roger Roy  
Michael Scuse  
Robert Stickels  
Lee Ann Walling  
Rick Woodin

**Absent:** Rich Anthony  
Sen. Patricia Blevins  
Judy Cherry  
Sherry Freebery  
Robert McLeod  
Richard Pryor  
Marty Ross

**Others Present:** Charles Baker, New Castle County  
Karley Barnes, Budget Office  
Ron Baunchalk, Fenwick Island  
Phil Cherry, DNREC  
Sherri Evans-Stanton, DNREC  
Jeff Flynn, City of Wilmington  
Doug Gramiak, Lt. Gov's Office  
Marcus Henry, DSHA  
Connie Holland, OSPC  
Karen Horton, DSHA  
Sandy Johnson, DSHA  
Sarah Keifer, Kent County  
Andrea Kreiner, Gov's Office  
Mike Mahaffie, OSPC  
Kevin McSweeney, State Fire Marshalls Office

Mr. Carney started the meeting off at 1:10 p.m. by asking the council to review last month's minutes. Mr. Carney stated that Rich Anthony sent an e-mail that morning, stating, in part *I would like to offer a correction. The Lt. Gov's dissenting vote on the proposed updates to Sussex County's Comprehensive Land Use Plan was not alone. I did not support the proposed updates then and I do not support the proposed changes now.* A motion was made by Mr. Morrill to accept the minutes; Ms. Baunchalk voiced a second. Minutes were accepted. Mr. Stickels wanted it noted that the minutes reflected Lt. Governor Carney as the only negative vote.

Mr. Carney introduced new council member Joe Myer, Executive Director, NCALL. Mr. Myer will fill the seat vacated by Mr. Pryor who now fills the City of Wilmington slot.

## **SUBCOMMITTEE REPORTS**

**Affordable Housing** – Marcus Henry and Sandra Johnson, Director, DSHA. Ms. Johnson said they were there today to present an update on their "Live Near Your Work" program and would present the Affordable Housing Subcommittee report on their Six Tools for Affordable Housing at the January meeting. Mr. Roy asked Ms. Johnson to just briefly disclose the "six tools". 1) Comprehensive Permit Plan 2) Tying in funding with affordable housing 3) Certification 4) Housing trust fund 5) Live Near York Work Program and 6) You Are Home Program. Ms. Johnson then gave a presentation of Live Near Your Work. She stated that they were working with DelDOT, Labor, Personnel, DEDO, the State Chamber, DBA, the Urban League and the City of Wilmington. This program encourages employers to help employees purchase homes near their work. She does not see any need for legislation to get the program off the ground. This program is being designed after an existing program in Maryland. Ms. Walling said that she believes Citizens Bank already supports a program like that in Rhode Island and is developing one for Philadelphia. Mr. Carney asked Ms. Johnson to identify similar programs nationwide. He also thought that MBNA had a similar program in place. Ms. Walling asked if the "Six Tools" program would require any legislation. Ms. Johnson said yes. Ms. Walling asked Ms. Johnson to come to January's meeting with the required legislation worked out so the council can review it.

**Annexation** – Ms. Walling offered a hand out which she reviewed with the committee. She noted there are four issues the subcommittee is addressing. 1) Enclaves/split property boundaries 2) City of Wilmington 3) State annexation standards and 4) New Castle County fiscal issues. There was discussion on all issues. Split boundaries seem to be an obstacle for most groups represented, i.e. DelDOT and builders. Mr. Hayward stated that boundaries need to be better drawn. Mr. Roy said he would like to see what the sub committee recommends. There was discussion concerning HB 255 and to possibly toughen up the state's annexation standards. Fiscal issues loom greater with New Castle County and the City would like relief from the requirement that it obtain New Castle County approval. Jeff Flynn, representing Dick Pryor, believed that only a majority of owners, along with approval from the city was all that was needed for annexation in the City. Mr. Roy was concerned with corporations who want to annex, i.e. Chrysler and DuPont. Ms. Walling said the committee would be drafting a four-point bill on the approval process. Mr. Carney suggested she wait until after New Castle County Council meets on December 17, and get input from the County and the City.

**Community Design** – Ms. Holland said her group has met sixteen plus times with various agencies. The sub committee is working on a report which will be marketed as a

guidance publication. Mr. Carney asked what will it be used for. Ms. Holland stated that it will be a guideline to help explain what Livable Delaware is. Mr. Woodin said it would be a useful tool when dealing with the LUPA process. This report should be considered a working document.

**Dispute Resolution** – Ms. Walling offered a hand out which she reviewed with the Council. She stated that F. Michael Parkowski will chair this committee. The sub committee is working on a process whereby an arbitration panel consisting of three members will review any disputes and make a recommendation to the Council. Mr. Roy asked who is appointing the panel. Ms. Walling and Mr. Carney explained that the Council would recommend three individuals to the Governor for her approval. The panel would meet on an issue and bring their recommendations back to the Council, who would ultimately have final vote on the matter. This would also be considered a standing panel. Mr. Walling and Ms. Holland will put together a suggested list of criteria for a panel to consider and Mr. Parkowski will develop a draft for the Council's approval.

**Green Infrastructure** – Mr. Hughes spoke to the group. He is finding that this committee has some overlapping issues with other committees, such as Community Design. Mr. Hughes focused his discussion mainly on forest preservation. They are looking at developing a forest conservation program and a forest PDR program. He also spoke on preservation programs for open space and farmland. Mr. Hughes recently met with his counterpart in New Jersey to discuss green infrastructure and bio diversity mapping. Three things are foremost with the committee. 1) Mapping 2) Forest and land preservation/protection and 3) better enforcement of existing laws.

**Infill and Redevelopment** – Ms. Kreiner reported that the committee lost its chair earlier this year. She will brief Judy Cherry and the sub committee will meet in January or February.

**Livability Indicators** – Chair, Ed O'Donnell was not present.

## LEGISLATION

Ms. Walling stated the LUPA draft will be circulated to members shortly. Brownfields legislation is being drafted. Other than that, no changes since last meeting.

## COUNCIL MEMBERS IDEAS FOR THE UPCOMING YEAR

Mr. Corrado said he had two. 1) Financing of infrastructure and 2) Debate/Discuss metropolitan government. Mr. Stickles agreed with financing of infrastructure stating that they should take a look at a variety of taxes. Ms. Holland said they should look at public/private partnerships. With no objections, Mr. Carney asked who on the council would like to sit on a committee to review financing of infrastructure. The following indicated yes: Mr. Corrado, Mr. Roy, Mr. Wood, Mr. Morrill, Mr. Stickles, Ms. Blevins (Mr. Roy will speak to her about sitting on the committee), Mr. McDowell. Mr. Carney suggested that they recruit someone from the Finance Department, either the Secretary or his designee. It was also suggested Michael Strine be asked to sit on the committee in his new capacity with the State Chamber and Public Policy. Mr. Carney asked Mr. Corrado to chair this committee. Mr. Carney did not want to go further with the metropolitan government discussion until the two representatives from New Castle County and the City of Wilmington were either aware of the council's concerns or

present at the next meeting. Mr. McDowell wanted the committee to take a stand on water infrastructure issues. Mr. McDowell had a hand written handout that he gave to Mr. Carney to review. He will have a typed copy for the next meeting. Mr. Carney stated that the state already has two groups empowered by legislation to review water issues. What they don't cover, Mr. Carney asked Mr. Corrado's committee to review. Mr. Carney also asked Ms. Kreiner to make available a one-page report of water groups in the state.

#### **OTHER BUSINESS**

None

#### **NEXT MEETING**

The Council will continue to meet every second Monday of the month. January 13, February 10, March 10, April 14, May 12 and June 9. We will try to secure the Paradee Building again.

At 3:15 p.m. Mr. Carney asked for a motion to adjourn. Ms. Holland made a motion that was seconded by Ms. Walling and approved by all members present.

Respectfully submitted.  
Pat LaRue

THE JANUARY AND FEBRUARY MEETINGS WILL BE HELD AT DEL TECH, TERRY CAMPUS, DOVER, ROOM 427.